

LC 760531

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

OGC 76-0955
1 March 1976

Hjic

Honorable Bella S. Abzug
House of Representatives
Washington, D.C. 20515

Dear Ms. Abzug:

This is in response to your letter of January 29 in which you request, pursuant to the Freedom of Information Act, a copy of the report of the Select Committee on Intelligence of the House of Representatives and any drafts, non-final, interim, or preliminary versions of such report which may have been transmitted to this Agency.

As you are aware, the Select Committee on Intelligence of the House of Representatives prepared a report based on their hearings and investigations regarding intelligence activities conducted by the United States. A copy of this report was transmitted in draft to this Agency for comment. Although a copy was retained by this Agency, the report remains under the control of the House of Representatives.

The draft report as received from the Select Committee on Intelligence of the House of Representatives is considered to be the property of the Committee. This Agency is, therefore, precluded from freely disposing of the report.

In view of the above, it has been determined that the Central Intelligence Agency does not exercise the requisite legal control of the documents you requested for the purposes of making a determination regarding their release under the Freedom of Information Act. The House of Representatives has ruled on the disposition of the Committee's report, and the CIA must be governed by that decision.

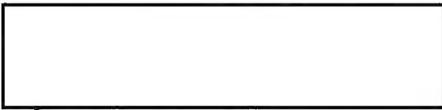
Furthermore, please be advised that the copy of the draft report retained by this Agency is properly classified Top Secret pursuant to Executive Order 11652; that the report contains information pertaining to intelligence sources and methods which the Director of Central Intelligence has the statutory responsibility to protect; and, finally, that the records you request, if they were to be considered Agency records under our control, would not only be covered



by exemptions 1 and 3 of the Freedom of Information Act, but may also be subject to other exemptions, such as exemption 5 of the Act, since they are part of a critical governmental deliberative process by elements of the government which can separately protect that process through recognized privileges.

In the event that you are dissatisfied with the action on your request, you may appeal to the Central Intelligence Agency Information Review Committee within 30 days pursuant to section 1900.51 of Chapter XIX, Title 32 of the Code of Federal Regulations as amended.

Sincerely,



Gene F. Wilson
Information and Privacy Coordinator

ST/

cc: Steven L. Skancke/NSC
Robert L. Gilliat/DoD

OGC:EM:mjc

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Original - Addressee (mailed 1 Mar. 76)

✓ 1 - OLC

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Honorable Bella S. Abzug
House of Representatives
Washington, D.C. 20515

Dear Ms. Abzug:

This is to acknowledge your letter of January 29, 1976 received on February 2, 1976 to Mr. George Bush, Director, Central Intelligence, in which you request, under the Freedom of Information Act:

1. A report of the Select Committee on Intelligence of the House of Representatives.
2. Any and all draft, nonfinal, interim or preliminary versions of such report.

Pursuant to section 1900.11 of Chapter XIX, Title 32 of the Code of Federal Regulations, as amended, your letter has been transferred to me for action.

We are processing your request and will provide you with a response within the ten-day period as provided by statute.

Very Sincerely,

/s/ GFW

Gene F. Wilson
Information and Privacy Coordinator

AT

IPS/OGC/EM?mjc/ es [] (5 Feb 76)
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Congress of the United States
House of Representatives

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2 LC 76-0268

Executive Registry

76-577

January 29, 1976

Honorable George Bush
Director
Central Intelligence Agency
Washington, D.C. 20505

Dear Mr. Bush:

Pursuant to the Freedom of Information Act, 5 U.S.C. 552, I hereby request the following documents, copies of which were transmitted to your agency on or after January 19, 1976:

1. A report of the Select Committee on Intelligence of the House of Representatives.
2. Any and all draft, nonfinal, interim or preliminary versions of such report.

I believe that the release of this material is in the public interest and therefore request that any fees attendant upon it be waived.

If you have any questions regarding this request, please call Timothy Ingram, Theodore Jacobs, or Eric Hirschhorn at (202) 225-3741.

Sincerely,


Bella S. Abzug
Chairwoman

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Routing Slip

TO:		ACTION	INFO	DATE	INITIAL
1	DCI		✓		
2	DDCI		✓		
3	S/MC				
4	DDS&T				
5	DDI				
6	DDA		✓		
7	DDO				
8	D/DCI/IC				
9	D/DCI/NIO				
10	GC				
11	LC	✓			
12	IG				
13	Compt				
14	D/Pers				
15	D/S				
16	DTR				
17	Asst/DCI				
18	AO/DCI				
19	SC/DCI		✓		
20	C/R/STAFF		✓		
21					
22					
	SUSPENSE				
		Date			

Remarks:

Please clear response
with DCI.

2 Feb

Date